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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,205	11/18/2003	Mitchell Chapin Green	06975-452001	2248
26171	7590	01/19/2007		
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER SALOMON, PHENUEL S	
			ART UNIT	PAPER NUMBER
			2112	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/715,205	Applicant(s) GREEN ET AL.	
	Examiner Phenuel S. Salomon	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/18/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the original filing of November 18, 2003. Claims 1-26 are pending and have been considered below.

Claim Objections

2. The disclosure is objected to because of the following informalities: the examiner notes the use of acronyms: ISP, PSTN, ISDN, xDSL in the specification without including a description in plain text, as required. Appropriate correction is required.

Specification

3. The use of the trademark [LINUXTM] has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Fig. 4906, 4908, 4910, and 5360. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application

Art Unit: 2112

must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to because of minor informalities: Fig. 8, box 802, line 2 "user's address uook" and box 804, line 4 "the mappings to the buddy ist". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3, 9-10, 14-16, and 22-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Doss (US 2003/0046296 A1).

Claim 1: Doss discloses a graphical user interface between a user of a computer service and the computer service, the graphical user interface comprising:
a list of other users of the computer service selected by the user as significant to the user; and (Page 1, Par. [0007], lines 4-7)
an icon associated with one of the other listed users indicating that a communication has occurred between the user and the other user (Page 1, Par. [0008], lines 1-10).
(Examiner note: It's inherent that a user should be part of another user list to identify his/her status and therefore, communications can occur between them.)

Claim 2: Doss discloses a graphical user interface as in claim 1 above, wherein the computer service includes an instant messaging computer service and the list reflects presence information for each of the other users selected by the user as significant to the user (Page 1, Par. [0007]).

Art Unit: 2112

Claim 3: Doss discloses a graphical user interface as in claim 1 above, wherein the icon is displayed only if the user selects a representation of the other user in the list of other users (Page 2, Par. [0018], lines 1-4).

Claim 9: Doss discloses a graphical user interface as claim 1 above, wherein the icon indicates that a calendar event has been scheduled by another user involving both the user and the other user (Page 4, [0051] and Page 5 [0056]).

Claim 10: Doss discloses a graphical user interface as in claim 9 above, wherein the icon, when selected by the user, opens or activates an application to view the calendar event (Page 5, Par. [0058]).

Claim 14: Doss discloses a method comprising:
providing a computer service to a user (Page 1, Par. [0007]) (Examiner note: The use of a network or internet makes computer service inherent);
displaying to the user of the computer service a list of other users of the computer service selected by the user as significant to the user (Page 1, Par. [0007]); and
displaying an icon associated with one of the other users in the list indicating that a communication has occurred between the user and the other user (Page 1, Par. [0008], lines 1-10).

Claim 15: Doss discloses a method as in claim 14 above, wherein the computer service includes an instant messaging computer service (Page 1, Par. [0007]).

Claim 16: Doss discloses a method as in claim 14 above, further comprising displaying the icon when the user scrolls over a representation of the other user in the list of other users (Page 1, Par. [0007 and 0008]).

Art Unit: 2112

Claim 22: Doss discloses a method as in claim 14 above, wherein the icon indicates that a calendar event has been scheduled by another user involving both the user and the other user (Page 4, [0051] and Page 5 [0056]).

Claim 23: Doss discloses a method as in claim 22 above, further comprising displaying the calendar event in response to selection of the icon by the user (Page 5, Par. [0058]).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-8 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doss (US 2003/0046296 A1) in view of Widger (US 2005/0117733).

Claims 4 and 17: Doss discloses a graphical user interface as in claim 1 above, but does not explicitly disclose an icon indicates that an email message has been exchanged between the user and the other user. Widger discloses "a message notification are also displayed" (Page 5, par.[0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include message notification in Doss. One would have been motivated to do it in order to unify messaging system at a single location and therefore, facilitate convenience and simplicity of use.

Claims 5 and 18: Doss discloses a graphical user interface as in claim 1 above, but does not explicitly disclose an icon indicates that an unread email message has been exchanged between the user and the other user. Widger discloses in "Fig. 7, an

Art Unit: 2112

example of a system tray showing an icon that identifies to the user that new messages have been received” (Page 6, par.[0045]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a new message icon in Doss. One would have been motivated to do so in order to assure notification and fast access to email message.

Claims 6 and 19: Doss discloses a graphical user interface as in claim 1 above, but does not explicitly disclose icon indicating the number of unread email messages that have been exchanged between the user and the other user. Widger discloses “a message notification icon...with associated number of messages received” (Examiner note: Since the message icon displayed the number of messages received; therefore the number of unread email message is inherent.) (Page 5, par.[0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to notify the user in Doss about the number of messages received. One would have been motivated to add that feature in order to enable the user to quickly and efficiently handle received email messages.

Claims 7 and 20: Doss discloses a graphical user interface as in claim 5 above, but does not explicitly disclose an icon, when selected by the user opens or activates an application to read the email message. Widger discloses “a message notification portion when clicking on the icon accesses the associated application” (Page 5, par. [0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include that feature into Doss. One would have been motivated to add that feature in order to quickly access and review one’s email content without interruption.

Claims 8 and 21: Doss discloses a graphical user interface as in claim 6 above, but does not explicitly disclose an icon, when selected by the user, opens or activates an application listing multiple email messages exchanged between the user and the other user. Widger discloses “a message notification icon...with associated number of

Art Unit: 2112

messages received" (Page 5, par. [0038]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a new message icon that shows listing of multiple e-mail messages in Doss. One would have been motivated to do so in order to better organize the email message inbox.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-13 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doss (US 2003/0046296 A1) in view of Malik (US 2003/0219104 A1).

Claims 11 and 24: Doss discloses a graphical user interface as in claim 1 above, but does not explicitly disclose an icon indicating that a voicemail message has been received by the user from the other user. Malik discloses "an icon representing a user that left a voicemail recording" (Page 6, Par. [0057]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an icon that indicates the reception of a voicemail message into Doss. One would have been motivated to do so in order to monitor a user voicemail without the inconvenience of constantly launching a different application.

Claims 12 and 25: Doss discloses a graphical user interface as in claim 11 above, but does not explicitly disclose an icon, when selected by the user, opens or activates an application to access information about the voicemail message. Malik discloses "an icon next to a user's name and ...the ability to access the referenced link... with associated information..." (Page 6, Par. [0058], fig.9). Therefore, it would have been obvious to one

Art Unit: 2112

having ordinary skill in the art at the time the invention was made to include a feature to access information about the voicemail message in Doss. One would have been motivated to do so in order to facilitate a user task of prioritizing incoming voice message without interruption.

Claims 13 and 26: Doss discloses a graphical user interface as in claim 11 above, but does not explicitly disclose an icon, when selected by the user, opens or activates an application to listen to the voicemail message. Malik discloses "an icon that initiates the playing of the voicemail" (Page 6, Par. [0058], fig.9). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include playing of voicemail into Doss. One would have been motivated to add that feature in order to quickly and conveniently access and listen one's voice message content without interruption.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Aravamudan et al. (US 6,301,609 B1) discloses assignable associate priorities for user-definable instant messaging buddy groups.

b. Hayes, Jr. et al. (US 2003/0195811 A1) discloses a customer messaging service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phenuel S. Salomon whose telephone number is (571)

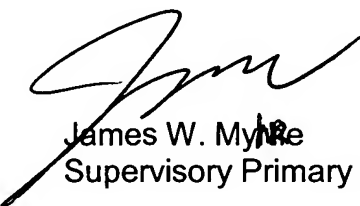
Art Unit: 2112

270-1699. The examiner can normally be reached on Mon-Fri 7:00 A.M. to 4:00 P.M.(Alternate Friday Off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Myhre can be reached on (571) 270-1065. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PSS
1/16/2007



James W. Myhre
Supervisory Primary Examiner